(c) whether it is a fact that BICP provided for credit and discounts while working out the cost of packing materials;

(d) whether it is also a fcat that non of the recommendations of BICP are changed without prior consultation with them; and

(e) if so, what are the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN) : (a) No Sir.

(b) The names of major producers/ suppliers of major packing materials whose prices were verified by BICP are given below :

(1) Alum Foils; M/s India Foils and M/s. Indian Alum.

(2) Glass Vials : M/s. Vazir Glass Co., Gujarat Glass & Neutral Glass etc.

(3) PVC Films : Amar Thara Plastic Ltd., M/s. Caprihans India Limited.

(4) Glass Bottle : M/s. A. R. Marketing.

(5) Alum. Tubes : Packam and Co., Impact containers, M/s. Extrusion Process Ltd.

(6) Ampoules : Kapor Glass Ind.

(c) While the BICP has not specifically provided for credit and discounts, (as not reflected in the invoices) in working out the cost of packing materials, it has also not merely used the data furnished by the formulators. In the methodology for working out packing materials ceilings, the extreme prices (too high/too low) as per the formulators' claims have been ignored and average price worked out based on the remaining claimed prices. These also have been checked on the basis of dealers price lists, wherever available.

(d) No, Sir.

(e) Does not arise.

Assessment of Betamethasone and Dexamethasone

519. SHRI NYODEK YONGGAM : Will the PRIME MINISTER be pleased to state :

(a) what is the amount assessed in respect of Betamethasone used by Pfizer and Dexamethasone used by M/s Cadila under Para 7 (2) of DPCO, 1979;

(b) whether Government have called for the details from these companies in respect to unintended benefit; if so, when and what is the response in each case ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTAMOHAN) : (a) to (b) To the extent information is available no liability has been assessed so far in respect of Betamethasone used by M/s. Pfizer, However, M/s. Cadila has been asked to submit the data by the first week of December, regarding the unintended benefit, if any, enjoyed by them on bulk drug Dexamethasone. The company has been directed to furnish the data failing which action would be initiated against them under the provisions of DPCO, 1987 and the Essential Commodities Act,1955.

Bombay High Court order relating to the Drug Companies

520. SHRI NYODEK YONGGAM : Will the PRIME MINISTER be pleased to state :

(a) what are the details of the interim orders passed by the Bombay High Court in the case of M/s. Sandoz, M/s Pfizer and M/s. Hoechst;

(b) when these orders were passed in each case and what action has been taken on each of these orders;

(c) what is the present position in each case and when the complete liability in each case would be worked out;

(d) whether it is a fact that liability of M/s. Hoechst in case of some packs based on Pheniramine is yet to be worked out as the company has not furnished the details; and

(e) if so, the action taken and what is the present position in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN) : (a) to (c) The Bombay High Court passed the interim Orders in the cases of M/s. Hoechst, Sandoz and Pfizer on 8th March, 1991, 21st August, 1992 and 20th October, 1992 respectively. In the case of M/s. Hoechst, the Bombay High Court allowed the petitioners to withdraw the petition and frame a time bound programme under which the Government could hear the company and pass a speaking order. In the cases of M/s Sandoz & M/s Pfizer, the Bombay High Court gave interim orders of stay subject to the condition that the petitioners shall deposit 50% of the impugned amount with the Government within eight/four weeks respectively and for the balance amount provide Bank guarantee to the Court with 15% interest per annum, within 8 weeks of the issue of the order.

In case of M/s. Hoechst, the liability will be communicated shortly and the hearing as per the Bombay High Court's order dated 8-3-1991 will be granted soon. In case of M/s. Sandoz, the Company filed SLP in the Supreme Court and the Supreme Court on their SLP ordered on 13th Nov. 1992 to deposit 15% of the impugned amount in the Bombay High Court by or before 17th November, 1992 and for the balance amount to give an undertaking to the Court. M/s. Sandoz has already deposited Rs. 37.74 lakhs i.e. 50% of the impugned amount in the Bombay High Court. In case of M/s. Pfizer the time for depositing the 50% of the impugned amount expired on 17-11-1992. The Government has filed an application for contempt of Court in the Bombay High Court on 19-11-1992 which will be heared on 27-11-1992.

(d) No, Sir. The liability has been worked out on the whole quantity of the bulk drug produced by them.

(e) Does not arise.

उर्वरकों पर राजसहायता में कमी किये जाने से खाद्यान्न उत्पादन पर प्रभाव

521. **श्रीमती सुषमा स्वराज** : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने डी. ए. पी और पोटाश जैसे उर्वरकों पर राज सहायता की रकम में कमी करने का निर्णय लिया है;

(ख) यदि हां, तो उसके क्या कारण हैं;

(ग) क्या इसके परिणामस्वरूप उर्वरकों की कीमतों में वृद्धि होने के कारण खाद्यान्नों के उत्पादन पर प्रतिकूल प्रभाव पड़ने की संभावना है; और

(घ) यदि हां, तो इस प्रभाव को रोकने के लिए सरकार क्या कदम उठा रही है ?

रसायन और उर्वरक मंत्रालय में राज्य मंत्री (श्री चिंता मोहन) : (क) और (ख) उर्वरक मूल्य निर्धारण संबंधी संयुक्त संसदीय समिति की सिफारिशों का अनुकरण करते हुए डीएपी तथा म्यूरिएट आफ पोटाश सहित सभी फास्फेटिक एवं पोटाशिक उर्वरकों को दिनांक 25 अगस्त, 1992 से मूल्य एवं संचालन नियंत्रण से हटा दिया गया है ।

(ग) और (घ) किसानों को फास्फेटिक एवं पोटाशिक उर्वरकों की बढ़ी हुई कीमतों की क्षतिपूर्ति करने के लिए खरीफ के अधिप्राप्ति मूल्य संशोधित करके पहले से अधिक कर दिए गए हैं । इसके अतिरिक्त छोटे एवं सीमान्त किसानों के लिए सरकार द्वारा चालू वर्ष के लिए लगभग 500 करोड़ रुपए मूल्य की कृषि विकास योजना स्वीकृत की गयी है । उर्वरकों की उत्पादन लागत कम करने के उपाय भी किए गए हैं । इसके अतिरिक्त किसानों को चालू रबी मौसम के दौरान डी ए पी और म्यूरिएट आफ पोटाश पर रु. 1000/- प्रति टन की सहायता तथा काम्पलेक्स उर्वरकों पर आनुपातिक सहायता भी दी गयी है ।

Price Council of Essential Medicines

522. SHRI IQBAL SINGH : Will the PRIME MINISTER be pleased to state the steps Government have taken to control prices of essential medicines in the country ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA